

Docket No: 273332US0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: : EXAMINER: NGUYEN, TAM M.

Romolo MONTANARI, et al. :

SERIAL NO: 10/538,886 : GROUP ART UNIT: 1797

FILED: March 24, 2006 :

FOR: PROCESS FOR THE CONVERSION OF HEAVY FEEDSTOCKS SUCH AS
HEAVY CRUDE OILS AND DISTILLATION RESIDUES

PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

Responsive to the Notice of Abandonment dated March 4, 2010, Applicants hereby request withdrawal of the holding of abandonment for the following reason.

The Patent Office indicates that the Notice of Appeal was not timely filed. However, the Notice of Appeal was filed on time as evidenced by the USPTO electronic acknowledgement. The six month statutory period for responding to the August 27, 2009 Office Action expired on Monday March 1, 2010 i.e., the next business day after Saturday February 27, 2010. A Notice of Appeal was timely filed on Monday March 1, 2010. The claims of the present case were twice rejected (Office Action of October 20, 2008 and August 27, 2009).

Copies of all papers as filed, along with the electronic acknowledgement receipt are submitted herewith as evidence.

Accordingly, withdrawal of the holding of abandonment is respectfully requested.

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Please charge any fees for the papers being filed herewith and for which no payment is enclosed herewith to deposit account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Stefan U. Koschmieder, Ph.D.
Registration No. 50,238

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Electronic Acknowledgement Receipt

EFS ID:	7108054
Application Number:	10538886
International Application Number:	
Confirmation Number:	8847
Title of Invention:	Process for the conversion of heavy feedstocks such as heavy crude oils and distillation residues
First Named Inventor/Applicant Name:	Romolo Montanari
Customer Number:	22850
Filer:	Marvin Jay Spivak/April Foubare
Filer Authorized By:	Marvin Jay Spivak
Attorney Docket Number:	273332US0XPCT
Receipt Date:	01-MAR-2010
Filing Date:	24-MAR-2006
Time Stamp:	13:12:48
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	Credit Card
Payment was successfully received in RAM	\$1650
RAM confirmation Number	11486
Deposit Account	
Authorized User	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
-----------------	----------------------	-----------	----------------------------------	------------------	------------------

1		273332USna.PDF	81749 8ea18284e8bf986c439b434c6a4cb2c193f2dbc2	yes	2
	Multipart Description/PDF files in .zip description				
	Document Description		Start	End	
	Notice of Appeal Filed		1	1	
	Extension of Time		2	2	
Warnings:					
Information:					
2	Fee Worksheet (PTO-875)	fee-info.pdf	32202 956d9651cbacbbcd375f1ec008969a992d7d59f8	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			113951		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

Docket No. 273332US0X PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Romolo MONTANARI, et al.

GAU: 1797

SERIAL NO: 10/538,886

EXAMINER: NGUYEN, TAM M.

FILED: March 24, 2006

FOR: PROCESS FOR THE CONVERSION OF HEAVY FEEDSTOCKS SUCH AS
HEAVY CRUDE OILS AND DISTILLATION RESIDUES

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated August 27, 2009

The items checked below are appropriate:

- ☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for _____ months.
- ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$540.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), covering any required fees.
- ☐ Charge to Deposit Account No. 15-0030.
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030.

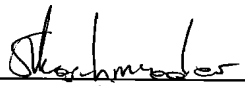
Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.
Norman F. Oblon

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)



Stefan U. Koschmieder, Ph.D.
Registration No. 50,238

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Romolo MONTANARI, et al.

SERIAL NO: 10/538,886

GAU: 1797

FILED: March 24, 2006

EXAMINER: NGUYEN, TAM M

FOR: PROCESS FOR THE CONVERSION OF HEAVY FEEDSTOCKS SUCH AS
HEAVY CRUDE OILS AND DISTILLATION RESIDUES

REQUEST FOR EXTENSION OF TIME
UNDER 37 C.F.R. 1.136

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

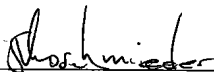
It is hereby requested that a **three** month extension of time be granted to February 27, 2010 for

- ☐ filing a response to the Official Action dated:
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☒ filing a Notice of Appeal.
- ☐ filing an Appeal Brief. A Notice of Appeal was filed on:
- ☐ Applicant claims small entity status. See 37 CFR 1.27.

The required fee of \$1,110.00 is being made by credit card payment online (if electronically filed), or is attached hereto (if paper filed), and any further charges may be made against the Attorney of Record's Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.
Norman F. Oblon



Stefan U. Koschmieder, Ph.D.
Registration No. 50,238

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)